

The 10th June, 1977

No. 7021/191/1L.—Notification under Section 4 of the Land Acquisition Act 1894 issued,—*vide* this office No. 4169A/191/1L, dated 13th April, 1977 for the land of Construction Sikanderpur Majra Minor from R. D. 0 to Tail R. D. 5820 taking off at R. D. 17560-L Rohtak Distributary village Kheri Damkan and Barota Tehsil Gohana, District Sonapat is hereby with-drawn.

G. L. RAMPAL,
Superintending Engineer,
W. J. C. West Circle, Rohtak.

The 30th May, 1977

No 291/1-L.—Whereas it appears to the Governor of Haryana, that land specified below is needed by the Government at public expense, for a public purpose, namely, for constructing Motipura Distributary R. D. 62,000 to 95,000 in villages Jhunpa Kalan, Jhunpa Khurd and Lilas in tehsil Loharu district Bhiwani, it is hereby notified that the land in the locality specified below is to be required for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act 1894, for the information of all to whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana hereby authorises the officers of Irrigation Department for the time being engaged in the under taking along with their servants, workmen etc. to enter upon and survey land in the locality and do all other acts required or permitted by the section.

Further, whereas the Governor of Haryana is satisfied that the land is required for the constructing Motipura Distributary which is of very urgent importance within the meaning of clause (c) of Sub-section (2) of Section 17 of the said Act the and whereas the Governor of Haryana is of the opinion that the provisions of Sub-section (2) of the said section thus applicable. It is hereby directed under Sub-Section (4) of section 17 of the said act that the provisions of Section 5A of the said Act shall not apply in regard to this acquisition.

SPECIFICATION

District	Tehsil	Name of village	Area in acres	Boundary	
				A strip of land Measuring 33,000 feet in length and varying in widths comprising part field numbers given as under :	
				Rectangle No.	Kila No.
Bhiwani	Loharu	Jhunpa Kalan, 120	39.73	267	3, 4, 6, 7, 15
				254	20, 22, 23
				253	3, 4, 6, 7, 15, 16
				248	1, 9, 10, 11, 12, 18, 19, 23
				249	5
				228	1, 9, 10, 12, 13, 17, 18, 24, 25
				227	5
				226	8, 13, 14, 16, 17, 25
				175	3, 8, 13, 14, 17, 24
				166	2, 9, 12, 18, 23, 19
				137	10, 11, 20, 21, 22.

District	Tehsil	Name of village	Area in acres	Rect No.	Boundary
Bhiwani	Loharu	Jhunpa Kalan, 120	39.73		Killa No.
				136	5, 6
				130	4, 7, 14, 15, 16, 25
				105	3, 4, 7, 8, 13, 14, 17, 18, 24
				101	3, 4, 7, 8, 13, 14, 17, 18, 23, 24
				78	3, 4, 7, 8, 13, 14, 17, 18, 23, 24
				75	3, 4, 7, 8, 13, 14, 17, 18, 23, 24
				52	3, 4, 7, 8, 13, 14, 17, 18, 23, 24
				49	15, 16, 17, 23, 24
				48	3, 4, 8, 9, 11
				27	24, 25
				28	5, 7, 8, 12, 13, 19, 20
				29	1, 20
				20	6, 14, 15, 17, 18, 19, 21, 22
				182	6, 14, 7, 15, 17, 18, 23
Do	Loharu	Jhunpa Khurd, 11	6.60	226	2, 8, 9
				18	1, 10, 11, 19, 20, 21, 22
				19	5
				16	4, 5, 6, 7, 15, 16, 25
				175	13, 14, 17, 24
Do	Loharu	Lilas 121	21.07	182	5, 6, 7
				163	6, 7, 8, 12, 13, 16, 17, 21
				164	2, 3, 4, 5, 8, 9, 10
				165	1, 2, 3, 4, 5
				166	1, 2, 3, 4, 5
				167	1, 2

District	Tehsil	Name of village	Area in acres	Boundary	
Bhiwani—concl'd	Loharu—concl'd	Lilas 121—concl'd	21.07—concl'd	Rect. No.	Killa No.
				142	6, 14, 15, 17, 18, 22, 23
				141	1, 2, 10
				132	6, 14, 15, 17, 18, 22, 23
				133	1
				101	6, 14, 15, 18, 19, 21, 22
				100	1, 2, 10
And generally lying in the Direction from south-east to north-east as demarcated at site and as shown on the Plans.					

By order of Governor of Haryana.

Dr. G. P. MALHOTRA,

Superintending Engineer,
BNC., Canal Circle No. II,
Hissar, (Haryana).

LABOUR DEPARTMENT

The 8th June, 1977

No. 4960-3Lab-77/13930—In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the President of India, is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad in respect of the dispute between the workman and the management of M/s Modern Straw Board Industries, Jatheri Road Jatheri.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD

Reference No. 73 of 1976

between

THE WORKMEN AND THE MANAGEMENT OF M/s MODERN STRAW BOARD INDUSTRIES, JATHERI ROAD, JATHERI

Present—

Shri Raghbir Singh, for the workman.

Nemo for the management.

AWARD

By order No. ID/RK/134-H-76/11889, dated 1st April, 1976 the Governor of Haryana, referred the following dispute between the management of M/s Modern Straw Board Industries, Jatheri Road, Jatheri and its workmen to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

- (1) Whether the workmen are entitled to the grant of bonus for the years 1973-74 and 1974-75; if so, with what details ?

- (2) Whether the workmen should be supplied seasonal uniforms ? If so, with what details ?
- (3) Whether the workmen should be supplied shoes ? If so, with what details ?

On receipt of the reference, notices were issued to the parties for two times. Neither parties appeared. Three times the management did not appear in spite of the fact that notices were sent to them by registered post and all the three times the Postman reported that the management refused to receive the notice. Finally on 15th November, 1976 when the management did not appear, they were proceeded ex parte. Ex parte evidence of the workman was ordered. The workman examined Shri Mahabir Singh a workman and Shri Ram Sagar another workman. Both of them stated that the factory had distributed bonus for the year 1971-1972. Some of the workers were paid bonus for the years 1973-1974, 1974-1975 but about 47 workmen have not been paid bonus. They further stated that they were members of the union, hence they were not paid bonus and the management discriminated on that account. The management told them that when these workmen left the union, only then the management shall pay them bonus. Further stated that the straw board factory at Yamuna Nagar were supplying seasonal uniform to the workmen. Two cotton uniform consisting of Pajama and Shirt and half Rubber Shoes. They further stated that the management were making huge profits as they were paid bonus at the rate of 20%. A list of workmen who were not paid bonus during the year 1973-1974 and 1974-1975 was produced which is Ex. W-1. I believe in the ex parte evidence of the workman which is on oath and un rebutted. Although it ex parte but the management did not appear in spite of they were served with registered notice three times and all the three times they refused service. That also goes to show that the management had no defence to put forward. Although there is a little consistency in the statement of both these witnesses in respect of the details of supply of uniform but not in respect of supply of half Rubber shoes and payment of bonus. Although I do not think it proper and reasonable to believe the oral statement of both these witnesses in respect of rate of payment of bonus. But the witness had stated that bonus had been paid to other workers for the year 1973-74, 1974-1975. I, therefore, think it correct that the workmen listed in Ex. W-1, should also be paid bonus at that rate at which other workmen had been paid bonus. W. W. 1 has also stated that in the process of their work their clothes are spoiled and get dirty. That witness had also worked in straw board factory, Yamuna Nagar, Therefore he is in a position to know regarding the of supply uniform in the factory of the same nature at Yamuna nagar. I, therefore, give my award as follows :—

- (1) As regards dispute No. 1, the workman named in the list who are alleged to have not been paid bonus for the year 1973-1974 and 1974-1975 are entitled to receive bonus for these years, i. e., 1973-1974, 1974-1975 at the rate at which other workmen have been paid bonus for these years. If any of the workmen out of the said list had already paid bonus for these years, he shall not be entitled to get payment of bonus for these years.
- (2) The workmen are entitled to supply of seasonal uniform consisting of the following clothes:—
 - (a) Two cotton uniforms in a year consisting of one Pajama and one shirt only.
 - (3) The workmen should be supplied half Rubber shoes in a year.

The list Ex. W-1 be treated as part of this award which should be sent along with the award for publication in the appropriate Gazette.

Dated the 11th May, 1977.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Endorsement No. 476, dated the 20th May, 1977.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated the 20th May, 1977.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

**NAME OF WORKERS WHO HAVE NOT RECEIVED BONUS FOR
THE YEAR 1973-74, 1974-75**

- | | |
|------------------|-------------------|
| 1. Mahavir Singh | 25. Nand Kishore |
| 2. Mangal Singh | 26. Satbir |
| 3. Raj Singh | 27. Dalip |
| 4. Mohinder | 28. Manga Ram |
| 5. Ram Sagar | 29. Bhup Singh |
| 6. Randhir | 30. Atar Singh |
| 7. Ram Lakhan | 31. Joga Ram |
| 8. Azad Singh | 32. Bharpai |
| 9. Dharam Pal | 33. Rajinder |
| 10. Sat Pal | 34. Azad II |
| 11. Jai Kishan | 35. Jagbir I. |
| 12. Dalip Singh | 36. Jagbir II |
| 13. Jagdish | 37. Ram Pal |
| 14. Ramesh | 38. Dharambir |
| 15. Ranbir | 39. Sumer |
| 16. Partap Singh | 40. Zila Singh |
| 17. Krishan | 41. Om Parkash II |
| 18. Rajpal | 42. Chander Singh |
| 19. Raj Singh | 43. Jagan Nath |
| 20. Ram Chander | 44. Rajinder II |
| 21. Ram Dhan | 45. Nirander |
| 22. Om Parkash | 46. Ram Kumar I |
| 23. Prem Nath | 47. Ram Kumar II |
| 24. Nehali | |

Attested
NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 4955-3Lab-77/13932.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the President of India is pleased to publish the following award of the Presiding Officer, Industrial, Tribunal, Haryana, Faridabad in respect of the dispute between the workmen and the management of M/s. S. J. Knitting and Printing Mills, Private Limited, 13/7, Mathura Road, Faridabad.

**BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD.**

Reference No. 56 of 1976

between

**SHRI TRIBHAWAN SINGH WORKMAN AND THE MANAGEMENT OF M/S. S.J.
KNITTING AND PRINTING MILLS, PRIVATE, LIMITED, 13/7,
MATHURA ROAD, FARIDABAD.**

Present:—

Nemo, for the workman.

Shri B. R. Grover, for the management.

AWARD

By order No. ID/FD/853-B-75/8941, dated 1st March, 1976, the Governor of Haryana, referred the following dispute between the management of M/s S. J. Knitting and Finishing Mills, Private Limited, 13/7, Mathura Road, Faridabad and its workman Shri Tribhawan Singh, to this Tribunal for adjudication. in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

Whether the termination of services of Shri Tribhawan Singh was justified and in order ?
If not, to what relief is he entitled ?

On receipt of the reference, notices were issued to the parties. The parties appeared and put in their pleadings. On the pleadings of the parties, the following issues were framed by my learned predecessor on 25th June, 1976.

(1) Whether the termination of services of Shri Tribhawan Singh was justified and in order ? If not, to what relief is he entitled ?

The case was then fixed for the evidence of the management. Thereafter the workman wanted time for settlement. On 28th March, 1977 a settlement took place between the parties. In view of the settlement the workman had received a sum of Rs. 929.05 from the management in full and final settlement of all his claim whatsoever including that of reinstatement and re-employment. Both the parties prayed that no dispute award be given. Ex. M. 1 is the settlement and M. 2 is the copy of the receipt. According to the receipt Exhibit M. 2 the workman concerned has received a sum of Rs. 929.05 detailed as follows :—

Earned wages	183.70
Earned Leave	225.35
Two months wages ex gratia.	520.00
Total	<u>929.05</u>

According to the settlement Exhibit M. 1, the above said amount was settled in principle, although calculation was not given in Exhibit M. 1. In consideration of having received the said amount the workman agreed that he shall have no right for reinstatement and re-employment. It was also agreed that the workman shall give a separate receipt in proof of payment of said amount and that this Tribunal shall be requested to pass a no dispute award. I, therefore, give my award that there is no dispute between the parties and the termination of services of Shri Tribhawan Singh was justified and in order and he is not entitled to any other relief.

Dated the 11th May, 1977.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 471, dated the 20th May, 1977.

Forwarded (four copies) to the Secretary to Government Haryana, Labour and Employment Departments, Chardigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Dated the 20th May, 1977.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 4956-3Lab-77/13934.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the President of India, is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad in respect of the dispute between the workman and the management of M/s Iron Master, Plot No. 35, Sector-6, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD.

Reference No. 54 of 1974

between

THE WORKMEN AND THE MANAGEMENT OF M/S IRON MASTER, PLOT NO. 35,
SECTOR-6, FARIDABAD.

Present—

Shri Bhim Singh Yadav for the workman.

Shri R. C. Sharma for the management.

AWARD

By order No. 117/F /74/10617, dated 25th April, 1974 the Governor of Haryana, referred the following dispute between the management of M/s Iron Master, Plot No. 35, Sector-6, Faridabad and its workmen to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

- (1) Whether the workers are entitled to the payment of bonus for the year 1972-73 ? If so, with what details ?
- (2) Whether the workers are entitled to the supply of uniforms ? If so, with what details ?
- (3) Whether the workmen are entitled to the grant of dearness allowance ? If so, with what details ?

On receipt of the reference, notices were issued to the parties. On 22nd October, 1974 the representative of the workmen appeared but the management did not appear, hence ex parte proceedings were ordered against the management by my learned predecessor. Thereafter the management moved for setting aside ex parte order which was set aside by my learned predecessor on 23rd July, 1975. Thereafter both the parties appeared and on the pleadings of the parties, the following issues were framed by my learned predecessor on 6th October, 1975.

- (1) Whether the workmen raised a demand on the management directly and the later rejected it before initiation of the Conciliation proceedings ?
- (2) Whether the demand was raised by the workman on the proper management ?
- (3) Whether the demand raised by the workman was espoused by the required number of workmen ?
- (4) Whether the workers are entitled to the payment of bonus for the year 1972-73 ? If so, with what details ?
- (5) Whether the workers are entitled to the supply of uniforms ? If so, with what details ?
- (6) Whether the workmen are entitled to the grant of dearness allowance ? If so, with what details ?

The case was adjourned three times on one or the other reasons. On 9th August, 1976, the date fixed, the representative of the management stated that he had no instructions to appear on behalf of the management. Therefore, my learned predecessor proceeded against the management ex parte. On 13th October, 1976 also both the parties appeared but the management appeared through Shri R. C. Sharma, as Shri H. R. Dua had previously stated that he had no instructions to appear. Shri R. C. Sharma for the management praying for setting aside ex parte proceedings which were set aside subject to the payment of cost of Rs 25 only. and the case was fixed for 17th November, 1976 for further proceedings. On 17th November, 1976 costs were not paid. Although both the parties were present but the representative of the management stated that the respondent described in the reference has not been correctly described. There is no such person as Iron Master, Plot No. 35, Sector-6, Faridabad, as mentioned in the order of reference. He stated that the management which he represents is Iron Master India (P) Ltd. and even that factory has also been closed on and from 1st November, 1975. The said representative stated that he has no authority from the respondent Iron Master, Plot No. 35, Sector-6, Faridabad to appear and the reference has not been made in the name of

management that he represented. Therefore, he cannot appear and does not appear. On that day, the representative of the workmen insisted that the respondent has been correctly described in the order of reference. The case was then adjourned on 11th January, 1977 for further proceedings. On 11th January, 1977 neither party was present.

From the failure of the appearance of the representative of the workman, I think that the respondent in this case has not been correctly described, otherwise the representative of the management did not appear on 11th January, 1977 as he did not represent the respondent named and described in the order of reference. I think in these circumstances that the respondent management has not been correctly described in the order of reference. The order of reference described the management respondent according to the demand notice. It therefore, follows that the workmen, i.e., their union failed to describe the management correctly. I, therefore, think that the respondent in this case is not a proper person. Hence the dispute does not exist between the workmen and the management as described in the demand notice as well as in the order of reference. The dispute of these workmen might exist between them and their employer management when described correctly. I, therefore, give my award as follows :—

“That all the three disputes mentioned in the order of reference do not exist between the workmen and M/s Iron Master, Plot No. 35, Sector-6, Faridabad. These disputes might exist between the workmen and their employer management, if and when correctly described. This shall however not debar the workmen from raising these demands against their employer management named and styled correctly in future.”

The 11th May, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana, Faridabad.

No. 470, dated the 20th May, 1977.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

The 20th May, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 4954-3Lab-77/13936.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the President of India is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad, in respect of the dispute between the workman and the management of M/s. Indian Leather Works, 98, D.L.F., Industrial Estate No. I, Mathura Road, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 111 of 1976

between

SHRI LUKANU WORKMAN AND THE MANAGEMENT OF M/S INDIAN LEATHER
WORKS, 98, D.L.F., INDUSTRIAL ESTATE, NO. I, MATHURA ROAD, FARIDABAD

Present :

Shri Amar Singh Sharma for the workman.

Nemo for the management.

AWARD

By order No. ID/FD/22-B-76/21997, dated 25th June, 1976, the Governor of Haryana, referred the following dispute between the management of M/s Indian Leather Works, 98, D.L.F., Industrial Estate No. I, Mathura Road, Faridabad and its workman Shri Dukanu to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri DUKANU was justified and in order ? If not, to what relief is he entitled ?

On receipt of the reference, notices were issued to the parties. The parties appeared and put in their pleadings. Then the case was fixed for filing the rejoinder by the workman on 12th January, 1977. On 12th January, 1977 the representative of the workman appeared but none appeared on behalf of the management, and the representative of the workman filed rejoinder. The management was proceeded against *ex parte* and the case was fixed for the *ex parte* evidence of the workman. The workman concerned examined himself as witness who stated that he joined the management as a helper on and from 2nd October, 1973 at a monthly wage of Rs. 200/-. He did not cause any complaint to the management. He enrolled himself as member of the union and was collecting subscription. The management did not like it and got annoyed. On 17th January, 1976, the management turned him out of the job without giving him any written notice. He was un-employed still. He sent demand notice to the management but the management gave no reply.

I am satisfied with the statement on oath of the workman concerned which has gone un rebutted, although the proceedings are *ex parte*. I, therefore, gave my award as follows :—

That the termination of services of Shri Dukanu was neither justified nor in order. He is entitled to reinstatement with continuity of service and full back wages.

Dated the 11th May, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 473, dated the 20th May, 1977.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated the 20th May, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 4957-3Lab-77/13938.—In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the President of India, is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad in respect of the dispute between the workmen and the management of M/s Hissar Textile Mills, Hissar. (2) The H.T.M. Employees Co-operative Consumer Store, Limited, Hissar.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD.

Reference No. 102 of 1975

between

THE WORKMEN AND THE MANAGEMENT OF M/S HISSAR TEXTILE MILLS, HISSAR.
(2) THE H.T.M. EMPLOYEES CO-OPERATIVE CONSUMERS STORE, LIMITED,
HISSAR.

Present :—

Shri Richpal Singh for the workmen.

Shri N. K. Garg for the management.

AWARD

By order No. ID/HDR/29-C-75/31710, dated 3rd June, 1975, the Governor of Haryana, referred the following disputes between the management of M/s Hissar Textile Mills, Hissar. (2) The H.T.M. Employees Co-operative Consumers Store, Limited, Hissar and its workmen to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

(1) Whether the workmen working in mill canteen are entitled to the grant of bonus at a higher rate than 8.33 per cent for the year 1973-74 ? If so, with what details ?

- (2) Whether the workmen working in mill canteen are entitled to be provided quarters or in lieu thereof Rs 25 per month as house rent ? If so, with what details ?
- (3) Whether the sweepers working in mill canteen are entitled to be provided winter uniforms and shoes ? If so, with what details ?
- (4) Whether the workmen working in mill canteen should be provided leave books ? If so, with what details ?
- (5) Whether the workmen working in mill canteen are entitled to Re. 1 per day for breakfast ? If so, with what details ?

On receipt of the reference, notices were issued to the parties. The parties put in their pleadings. On the pleadings of the parties, the following preliminary issue was framed by my learned predecessor on 17th September, 1975 :—

Whether the reference made by the Government is invalid, bad in law and unmaintainable on the grounds of failure of the workmen to approach the screening Committee and adopt other procedure as incorporated under the settlement, dated 26th April, 1961, 4th April, 1966, 2nd November, 1970 for redress of their grievances and grant of relief as prayed for,—*vide* notice of demands.

The case was fixed for the evidence of the management and the evidence of the management was recorded. The management has closed their evidence on this preliminary issue. Then the case was fixed for the evidence of the workmen. The workmen had examined Shri Richpal Singh, Secretary, District Textile Workers Union, Hissar. The workmen also closed their case on preliminary issue. It was decided by my learned predecessor on 26th April, 1977 that the reference was bad in law and could not be adjudicated upon *qua*. My learned predecessor then proceeded against H.T.M. Employees Co-operative Consumer Store, Hissar the respondent No. 2 and thereafter my learned predecessor framed the following issue on 4th August, 1976 :—

- (1) Whether the demand leading to this reference has been espoused by a substantial number of workmen ?
- (2) Whether the reference is bad in law and liable to be quashed for the reasons stated in the preliminary objections,—*vide* paragraphs 2, 3, 4, 6 and 7 ?
- (3) Whether the workmen working in mill canteen are entitled to the grant of bonus at a higher rate than 8.33 per cent for the year 1973-74 ? If so, with what details ?
- (4) Whether the workmen working in mill canteen are entitled to be provided quarters or in lieu thereof Rs 25 per month as house rent ? If so, with what details ?
- (5) Whether the Sweepers working in mill canteen are entitled to be provided winter uniforms and shoes ? If so, with what details ?
- (6) Whether the workmen working in mill canteen should be provided leave books ? If so, with what details ?
- (7) Whether the workmen working in mill canteen are entitled to Re 1 per day for breakfast ? If so, with what details ?

The case was fixed for the evidence of the workmen on issues Nos. 1 and 2. Then the case was adjourned for one or the other reasons. On the previous date of hearing, i.e., 13th April, 1977, the learned representative of the workmen had moved an application or amendment of his claim statement. The case was fixed today for filing reply of that application by the management and arguments on that application.

At this stage, the learned representative of the workmen made an application that he want to withdraw the demands under reference. The learned representative of the workmen did not appear today but send his application for withdrawal as stated above through the representative of the management. The application has been allowed by me,—*vide* by my detailed order of date. The learned representative of the workmen prayed in that application that permission for withdrawal may be granted to him and the workmen reserve their right to raise these demands or any of them whenever in future they deemed it fit and proper, so to do. Their request was genuine. Hence the workmen were allowed to withdraw from these demands at present. However, it shall not debar from raising these demands in future when they deemed it fit and proper. I, therefore, give my award as follows :—

“That there is no dispute between the parties at present. This award shall not debar the workmen from raising these demands or any of them in future when they deemed it fit and proper. The parties are left to bear their own costs.

The 10th May, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 474, dated the 20th May, 1977.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,

Industrial Tribunal, Haryana,
Faridabad.

The 20th May, 1977

No. 4961-3Lab-77/13940.—In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the President of India is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad, in respect of the dispute between the workman and the management of M/s. Amba Plastic and Rubber Factory, Mahrauli Road, Gurgaon.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, HARYANA, FARIDABAD

Reference No. 38 of 1977

between

SHRI FAQUIR CHAND, WORKMAN AND THE MANAGEMENT OF M/S AMBA
PLASTIC AND RUBBER FACTORY, MAHRAULI ROAD, GURGAON

Present.—

None, from the parties.

AWARD

By order No. ID/GG/234-A-77/15000, dated 21st April, 1977, the Governor of Haryana, referred the following dispute between the management of M/s Amba Plastic and Rubber Factory, Mahrauli Road, Gurgaon, and its workman Shri Faquir Chand to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (4) of Section 10 of the Industrial Disputes Act, 1947.

Whether the termination of services of Shri Faquir Chand was justified and in order? If not, to what relief is he entitled?

A letter bearing No. AP/I/680/77, dated 9th May, 1977, has been received from the management of M/s Amba Plastic and Rubber Factory, Mahrauli Road, Gurgaon. They have sent a Photostat copy of a receipt executed by the workman concerned witnessing the payment of his dues in full and final settlement of his claim. The letter further witnesses that he has compromised the matter with the management of his own free will. He has also prayed for withdrawal.

The workman concerned and the management also did not appear today. This shows that the matter has been settled between the parties. I rely on the photostat copy sent by the management purported to have been executed by the workman concerned. The whole of the receipt seems to be in the hand writing of the workman concerned. I, therefore, give my award that there is no dispute between the parties.

NATHU RAM SHARMA,

Presiding Officer,

Industrial Tribunal, Haryana,
Faridabad.

Dated the 17th May, 1977.

No. 475, dated the 20th May, 1977.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,

Industrial Tribunal, Haryana,
Faridabad.

Dated 20th May, 1977.